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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/596,366

07/13/2006

Gerhard Trauth

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EXAMINER

NGUYEN, PATRICIA T

ART UNIT

PAPER NUMBER

2817

NOTIFICATION DATE

DELIVERY MODE

05/13/2009

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

USADOCKETING@FREESCALE.COM

<b>Office Action Summary</b>	<b>Application No.</b> 10/596,366	<b>Applicant(s)</b> TRAUTH ET AL.	
	<b>Examiner</b> PATRICIA T. NGUYEN	<b>Art Unit</b> 2817	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8 and 19 is/are rejected.
- 7) ☒ Claim(s) 9-18 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>6/9/06</u> . | 6) <input type="checkbox"/> Other: ____.  |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-8 and 19 are rejected under 35 U.S.C. 102(b) as being anticipated by Bocock et al., U.S. Patent # 6,894,565 B1.

Fig. 8 of Bocock et al. discloses a circuit comprising: a power amplifier circuit (100) having a power supply regulated output power level; a power supply transistor (M1) coupled to the power amplifier circuit and operable to control a power supply to the power amplifier circuit in response to a drive signal; a drive circuit (104, M12) coupled to the power supply transistor and operable to generate the drive signal in response to a power level input signal ( $V_{APC}$ ); characterized by further comprising: means (104, 107) for determining an operating characteristic of the power supply transistor; and a control circuit (111) coupled to the drive circuit (104, M12) and operable to control the drive signal in response to the operating characteristic; loop from drain of M1 through 104, 107, 111, M12 to gate of M1 can be read as a negative feedback loop.

Claims 1-6 and 19 are rejected under 35 U.S.C. 102(b) as being anticipated by Cioffi et al., U.S. Patent # 6,781,452 B2.

Fig. 3 of Cioffi et al. discloses a circuit comprising: a power amplifier circuit (SMPA L) having a power supply regulated output power level; a power supply transistor (Q1) coupled to the power amplifier circuit and operable to control a power supply to the power amplifier circuit in response to a drive signal; a drive circuit (101) coupled to the power supply transistor and operable to generate the drive signal in response to a power level input signal (Input signal 103); characterized by further comprising: means (105) for determining an operating characteristic of the power supply transistor; and a control circuit (109, 120) coupled to the drive circuit (101) and operable to control the drive signal in response to the operating characteristic; loop from 105 through 109, 120 to 101 can be read as a negative feedback loop.

### ***Allowable Subject Matter***

Claims 9-18 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. U.S. Patents # 6,701,138 B2, # 6,825,725 B1, # 7,106,137 B2, and # 4,320,350 contain some limitations of the claimed invention.

Art Unit: 2817

Any inquiry concerning this communication or earlier communications from the examiner should be directed to PATRICIA T. NGUYEN whose telephone number is (571)272-1768. The examiner can normally be reached on 6:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Pascal can be reached on 571-272-1769. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

PTN

May 11, 2009

/Patricia T Nguyen/

Primary Examiner, Art Unit 2817